

EXHIBIT I

In the Matter Of:

In Re - Pork Antitrust Litigation

JOSEPH REALDINE

March 31, 2022



1 UNITED STATES DISTRICT COURT
2 DISTRICT OF MINNESOTA

3

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Court File No. 0:18-cv-01776-JRT-HB

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IN RE:

6 PORK ANTITRUST LITIGATION

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ORAL VIDEOTAPED DEPOSITION

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JOSEPH REALDINE

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MARCH 31, 2022

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13 ORAL VIDEOTAPED DEPOSITION OF JOSEPH REALDINE, via
14 Zoom, produced as a witness at the instance of the
15 Defendants Tyson Foods, Inc., Tyson Prepared Foods, Inc.
16 and Tyson Fresh Meats, Inc., and duly sworn, was taken
17 in the above-styled and numbered cause on the 31st day
18 of March, 2022, from 8:09 a.m. to 12:25 p.m. Hawaii
19 Standard Time, before Melinda Barre, Certified Shorthand
20 Reporter in and for the State of Texas, reported by
21 computerized stenotype machine, all parties appearing
22 remotely via web videoconference, pursuant to the rules
23 of procedure and the provisions stated on the record or
24 attached hereto.

25

APPEARANCES
(ALL APPEARED VIA ZOOM VIDEO CONFERENCE.)

FOR THE CONSUMER INDIRECT PURCHASER PLAINTIFFS
AND THE WITNESS:

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FOR DEFENDANTS TYSON FOODS, INC., TYSON PREPARED FOODS,
INC. AND TYSON FRESH MEATS, INC.:

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ALSO PRESENT: Caylob Suarez, Videographer and
Document Technician

INDEX

PAGE

Examination by Ms. Lee	5
Signature Page	145
Court Reporter's Certificate	147

EXHIBITS

EXHIBIT	DESCRIPTION	PAGE
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Exhibit 1	Resume of Joseph Realdine	22
Exhibit 2	Consumer Indirect Purchaser Plaintiffs' Fourth Amended Consolidated Class Action Complaint	46
Exhibit 3	Quirch Guide to Pork Cuts	74
Exhibit 4	Buckhead Meat & Seafood, Local Product Guide	75
Exhibit 5	Consumer Indirect Purchaser Plaintiffs' Supplemental Objections and Responses to Defendants' First Set of Interrogatories	78
Exhibit 6	Document Bates Stamped Realdine_000368	96
Exhibit 7	Document Entitled "Structure and Importance of the U.S. Pork Industry"	109

1 THE VIDEOGRAPHER: We're on the record on
2 March 31st, 2022 at 8:09 a.m. Hawaii Standard Time for
3 the remote deposition of Mr. Joseph Realdine in the
4 matter of In Re Pork Antitrust Litigation. My name is
5 Caylob Suarez, and I'm the videographer and document
6 technician on behalf of Lexitas.

7 Will counsel please introduce themselves
8 and the party they represent beginning with the party
9 noticing this proceeding.

10 MS. LEE: Good morning. My name is Kenina
11 Lee with the firm Axinn, Veltrop & Harkrider LLP; and I
12 represent the Tyson defendants.

13 MS. GREATHOUSE: Hi. This is Madeline
14 Greathouse. I am also representing Tyson defendants and
15 part of the firm Axinn, Veltrop & Harkrider LLP.

16 MR. RISSMAN: Josh Rissman, Gustafson
17 Gluek, counsel for the consumer indirect purchaser
18 plaintiffs and representing the witness today.

19 THE VIDEOGRAPHER: Okay. Thank you. Will
20 the court reporter please swear in the witness.

1 JOSEPH REALDINE,
2 having been first duly sworn, testified as follows:

3 EXAMINATION

4 QUESTIONS BY MS. LEE:

5 Q. Good morning. Well, good very early morning to
6 you. As I just introduced myself, my name is Kenina
7 Lee. I represent the Tyson defendants in this case, and
8 I'll be taking your deposition today.

9 I first off want to thank you for making
10 yourself not only available but available at a pretty
11 early hour for you. So we appreciate your time.

12 To start off, can you please state your
13 full name for the record.

14 A. Joseph P. Realdine, Jr.

15 Q. Have you ever gone by another name?

16 A. No.

17 Q. Have you ever had --

18 A. My middle initial is P for Pasquale, but I
19 don't really use it.

20 Q. Okay. Have you ever been deposed before?

21 A. Yes.

22 Q. Okay. We'll get a little into that in a moment
23 and you're probably familiar with how this goes but I
24 first want to just go over some ground rules for today's
25 deposition. Do you understand that you are testifying

1 Q. (By Ms. Lee) I said but you don't have an
2 independent factual basis for the allegations in your
3 complaint. Is that correct?

4 MR. RISSMAN: Object to form.

5 A. I think by the mere fact that I'm part of this
6 lawsuit indicates that I do have a concern.

7 Q. (By Ms. Lee) I understand you have a concern,
8 but my question was just confirming that you don't have
9 an independent factual basis or factual evidence for the
10 allegations in your complaint.

11 A. Independent, no. Counsel -- independently I
12 haven't researched this, and I think this is what we're
13 trying to get to the bottom of.

14 Q. How do you know that you've been harmed
15 monetarily by the conspiracy you allege in this case?

16 MR. RISSMAN: Object to form.

17 A. Based on reading this document, the contents
18 here in this document, leads me to believe this.

19 Q. (By Ms. Lee) Is there anything else that you
20 can point to?

21 A. No.

22 Q. Can you quantify how much you've been harmed by
23 this alleged conspiracy?

24 A. I don't know.

25 Q. And you don't have any receipts from your past

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1 purchases of pork between 2008 through 2018. Is that a
2 fair statement?

3 A. I don't have any here located on 66-133
4 Keahipaka Lane. Do they exist somewhere? I'm sure.

5 Q. Where else would they exist besides in your
6 house?

7 A. Costco may keep a record.

8 Q. Other than Costco, is there anywhere else that
9 you can think of that might have receipts for your
10 purchases of pork between 2008 and 2018?

11 A. No. We don't save receipts.

12 Q. Have you ever saved a receipt since you became
13 a class member in this lawsuit?

14 A. No, I have not.

15 Q. So is it fair to say that since you've become a
16 class member -- strike that.

17 Since you've become a class member, have
18 you purchased pork?

19 A. Yes.

20 Q. Since you became a class member, have you
21 received receipts for your purchases of your pork?

22 A. We normally don't take receipts. I know that
23 may sound silly, but we don't like the paper. So when
24 we go in -- the only time we haven't is at Costco
25 because you have to get it to go out the door. Then we

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1 toss it in the trash.

2 Q. So since becoming a class member, to the extent
3 you've purchased pork at Costco, you have received a
4 receipt. Is that a fair statement?

5 A. They hand you receipts, but we don't keep them
6 if that will answer your question.

7 Q. But you have the physical receipt to get out of
8 the door of Costco. Is that correct?

9 A. Yeah. You have to have the physical receipt,
10 and then it goes right into the trash can.

11 Q. So that's my next question. So since you've
12 become a class representative, you have thrown away your
13 receipts for purchases that you've made of pork. Is
14 that correct?

15 A. On actually every single thing we buy we throw
16 away the receipt other than large purchases like a
17 refrigerator, you know, stove or car. But yeah, the
18 small -- my wife doesn't like paper.

19 Q. Including your purchases of pork. Is that
20 fair?

21 A. Yes, everything.

22 Q. Do you know which companies are responsible for
23 the harm that you feel that you have suffered as a
24 result of the conspiracy you allege?

25 MR. RISSMAN: Object to form.

1 A. Say that again.

2 Q. (By Ms. Lee) Do you know which -- I can
3 restate it or I can say it again.

4 Do you know which companies are
5 responsible for the harm that you feel you have suffered
6 as a result of the conspiracy you allege?

7 MR. RISSMAN: Object to form.

8 A. I think it was the ones that you've already
9 talked about. We've got Agri, Clements, Hormel,
10 Seaboard, Tyson, Triumph, Indiana Packers. What else we
11 got? Hormel. I think I said Agri Stats, too, and
12 probably others.

13 Q. (By Ms. Lee) Do you believe there are any pork
14 companies who are not named as a defendant who are
15 responsible for causing the harm you suffered?

16 MR. RISSMAN: Object to form.

17 A. I don't know.

18 Q. (By Ms. Lee) How do you know, for instance,
19 that Tyson has harmed you?

20 MR. RISSMAN: Object to form.

21 A. It's in the lawsuit.

22 Q. (By Ms. Lee) Have you personally researched
23 how Tyson has harmed you?

24 MR. RISSMAN: Objection, asked and
25 answered.